

January 10, 2018

The Organizational Meeting of the Rockingham County Board of Supervisors was held on Wednesday, January 10, 2018, at 3:30 p.m. at the Rockingham County Administration Center, Harrisonburg, Virginia. The following members were present:

PABLO CUEVAS, Election District #1
FREDERICK E. EBERLY, Election District #2
RICKY L. CHANDLER, Election District #3
WILLIAM B. KYGER, JR., Election District #4
MICHAEL A. BREEDEN, Election District #5

Also present:

STEPHEN G. KING, County Administrator
THOMAS H. MILLER, JR., County Attorney
GEORGE K. ANAS, II, Assistant County Administrator
CASEY B. ARMSTRONG, Director of Community Development
PATRICIA D. DAVIDSON, Director of Finance
ANN MARIE FREEMAN, Director of Court Services
JEREMY C. HOLLOWAY, Fire & Rescue Chief
JENNIFER J. MONGOLD, Director of Human Resources
JUSTIN S. MOYERS, Interim Director of Parks & Recreation
TERRI M. PERRY, Director of Technology
PHILIP S. RHODES, Director of Public Works
RHONDA H. COOPER, Deputy Director of Community Development
KELLY S. GETZ, Code Compliance Officer
DIANA C. STULTZ, Zoning Administrator
JESSICA G. KILBY, Deputy Clerk
DONALD F. KOMARA, Residency Administrator
Virginia Department of Transportation
C. BURGESS LINDSEY, Assistant Residency Administrator
Virginia Department of Transportation

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CALL TO ORDER.

Administrator King called the meeting to order at 3:30 p.m.

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**INVOCATION
PLEDGE OF ALLEGIANCE.**

Supervisor Chandler gave the Invocation and Assistant County Administrator Anas led the Pledge of Allegiance.

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APPROVAL OF MINUTES.

On motion by Supervisor Cuevas, seconded by Supervisor Chandler, and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CHANDLER - AYE; CUEVAS - AYE; EBERLY – AYE; KYGER - AYE; the Board approved the minutes of the regular meeting of December 13, 2017.

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2018 REORGANIZATION OF THE BOARD.

ELECTION OF CHAIRMAN AND VICE CHAIRMAN.

On motion by Supervisor Chandler, seconded by Supervisor Kyger, and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CHANDLER - AYE; CUEVAS - AYE; EBERLY – AYE; KYGER – AYE; the Board elected Frederick E. Eberly as Chairman for 2018 and Pablo Cuevas as Vice-Chairman for 2018.

Administrator King turned the meeting over to Chairman Eberly.

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RECOGNITION OF 2017 CHAIRMAN.

Chairman Eberly and the other Board members expressed appreciation to Supervisor Chandler in recognition of his leadership and professionalism during the past year.

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SETTING OF DAY AND TIME OF REGULAR MEETINGS.

On motion by Supervisor Cuevas, seconded by Supervisor Chandler, and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CHANDLER - AYE; CUEVAS - AYE; EBERLY – AYE; KYGER - AYE; the Board set the 2018 meeting schedule as follows:

Beginning with this meeting held on January 10, 2018, and each second Wednesday thereafter through June 13, 2018, the first meeting of the month shall commence at 3:30 p.m. and beginning July 11, 2018, and each second Wednesday thereafter, the first meeting of the month shall commence at 3:00 p.m., with the following exception: the first meeting in April, on April 11, 2018, which will include a public hearing on the proposed budget for FY 2018-19, will be held at Turner Ashby High School and will begin at 2:00 p.m.

Beginning January 24, 2018, and each fourth Wednesday of each month thereafter, the second meeting of the month shall commence at 6:00 p.m.

In addition, there will be only one meeting held in November on November 14, 2018, at 3:00 p.m. and in December on December 12, 2018, at 3:00 p.m.

With regard to meetings delayed due to inclement weather, if a meeting cannot be held due to inclement weather or for any reason as determined by the Chairman, or the Vice-Chairman if the Chairman is not available, the meeting will be held at the scheduled time on the following Wednesday, unless otherwise determined by the Board.

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REVIEW OF COMMITTEE ASSIGNMENTS.

The Board received the following draft of the 2018 Chairman's Committee appointments:

**BOARD OF SUPERVISORS
2018 Chairman's Committee Appointments**

BOARD COMMITTEES:

BUILDINGS AND GROUNDS

Frederick Eberly
Rick Chandler

FINANCE

Michael Breeden
Pablo Cuevas

PUBLIC WORKS

Pablo Cuevas
Michael Breeden

PERSONNEL-RELATED (Ad Hoc)

Chairman
Vice-Chairman

LIAISON COMMITTEES:

CITY-COUNTY LIAISON

William Kyger
Pablo Cuevas

**AUGUSTA/ROCKINGHAM
LIAISON COMMITTEE**

William Kyger
Rick Chandler

SCHOOL BOARD LIAISON

Pablo Cuevas
Frederick Eberly

TOWNS/COUNTY LIAISON

Chairman
Town's Board Member

OTHER COMMITTEES:

**CENTRAL SHENANDOAH PLANNING
DISTRICT COMMISSION**

Rick Chandler
Casey Armstrong

TECHNOLOGY COMMITTEE

Frederick Eberly
William Kyger

SOCIAL SERVICES ADVISORY BOARD

Michael Breeden

**MASSANUTTEN REGIONAL
LIBRARY**

Rick Chandler

CHAMBER OF COMMERCE

Rick Chandler

RELATED LANDS (Federal)

Michael Breeden
Rhonda Cooper

**COMMUNITY CRIMINAL
JUSTICE BOARD**

William Kyger
County Administrator

WORK FORCE INVESTMENT

George Anas
Stephen King, alternate

VACO BOARD

William Kyger

METROPOLITAN PLANNING ORGANIZATION

Rick Chandler
Frederick Eberly
Stephen King

Michael Breeden, Alternate
Rhonda Cooper, Alternate
Casey Armstrong, Alternate

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RECESS.

At 3:37 p.m., Chairman Eberly declared the regular meeting recessed for a meeting of the Countryside Sanitary District.

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RECESS.

At 3:38 p.m., Chairman Eberly declared the regular meeting recessed for a meeting of the Lilly Subdivision Sanitary District.

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RECESS.

At 3:39 p.m., Chairman Eberly declared the regular meeting recessed for a meeting of the Penn Laird Sewer Authority.

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RECESS.

At 3:40 p.m., Chairman Eberly declared the regular meeting recessed for a meeting of the Smith Creek Water and Waste Authority.

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TRANSPORTATION DEPARTMENT.

At 3:48 p.m., Chairman Eberly reconvened the regular meeting of the Board to hear Mr. Komara's report on the activities of the Transportation Department, including updates to several bridge and road projects.

Mr. Komara pointed out that rural rustic roadwork is ongoing as weather permits. Recent maintenance includes brush cutting and boom axing.

Mr. Komara noted that he received information from Administrator King regarding several road concerns. Regarding speed limits on Spotswood Trail (Route 33), and parking issues at Blue Hole, Mr. Komara indicated he will discuss the issues with Sheriff Hutcheson.

Supervisor Kyger brought attention to the ongoing traffic concerns in Mt. Crawford. With increased industrial traffic and Blue Ridge Christian School moving to this location, traffic will only increase, he said. He suggested this area remain a high priority for future improvements.

Supervisor Breeden mentioned that another accident occurred at the yellow flashing turn signal near East Rockingham High School on Spotswood Trail (Route 33), suggesting that the left turn signal appears to lead to more accidents than other signals on Route 33. Additionally, Supervisor Breeden inquired about the status of a flashing yellow turn signal at the McGaheysville Fire Department on Spotswood Trail (Route 33) in the eastbound lane.

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COUNTY ADMINISTRATOR'S STAFF REPORT.

The Board received and reviewed Administrator King's staff report dated January 5, 2018.

Administrator King reported that staff has been working with a buyer for the commercial property at Rockingham Park at the Crossroads. He indicated the purchaser plans to develop a senior living facility on the property along with some retail stores.

On motion by Supervisor Chandler, seconded by Supervisor Cuevas, and carried by a roll call vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CHANDLER - AYE; CUEVAS - AYE; EBERLY – AYE; KYGER - AYE; the Board authorized the County Administrator and County Attorney to proceed with negotiations and execute a contract with Whitehall Development Group, LLC of South Carolina, for them to purchase the commercial property at Rockingham Park at the Crossroads for \$1.5M.

Administrator King provided the Board with a 2018 Holiday Schedule, with the recommendation that the County observe the same holidays as the State except for Monday, December 31, 2018.

Administrator King asked for the Board's direction concerning a state code revision, which would allow the County to charge an additional transient occupancy tax. He explained that all counties are authorized to levy two percent, but the state code also has a list of localities that are authorized to levy an additional three percent. If the Board desires, staff will request the County be added to the list of localities authorized to levy an additional three percent transient occupancy tax.

On motion by Supervisor Kyger, seconded by Supervisor Breedon, and carried by a roll call vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CHANDLER - AYE; CUEVAS - AYE; EBERLY – AYE; KYGER - AYE; the Board authorized staff to proceed with lobbying efforts to maximize the transient occupancy tax that may be levied by the County.

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COUNTY ATTORNEY’S STAFF REPORT.

County Attorney Miller indicated the General Assembly will consider a provision of mandating that all public bodies provide an opportunity for public comment during any open meeting. Mr. Miller recalled that in the past, the Board registered its opposition to mandatory public comment periods and asked for direction before the upcoming General Assembly session.

Following discussion, the Board agreed that it remains opposed to a provision mandating public bodies to provide a public comment period during open meetings. As pointed out by several Board members, comments and concerns are heard by the Board when arranged through the County Administrator and included on agendas.

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FINANCE DIRECTOR’S STAFF REPORT.

The Board received and reviewed Mrs. Davidson’s staff report dated January 2, 2018.

On motion by Supervisor Breedon, seconded by Supervisor Cuevas, and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CHANDLER - AYE; CUEVAS - AYE; EBERLY - AYE; KYGER - AYE; the Board declared the following items surplus to be disposed of through the public surplus auction website:

Items to Declare Surplus – January 2018

Description	Quantity
Air Compressor	1
2000 Chevrolet Blazer	1
2008 Ford 4D SDN	1
1996 Chevrolet Van	1
5 drawer filing cabinet	1
4 drawer filing cabinet	1
Printer-HP LaserJet 2200d	1
Keyboard	1
Table	1

Solo Cups (4oz) boxes	2
Black tubs	Several
Scale	1
Volume Program Sensitivity-Serial #32901	1
heavy duty blenders for a mixer	2
sole lids- boxes	9
Measuring buckets with lids-boxes	Several
Steel pads-boxes	4
28x46 white disposable aprons-box	1
Desk	1
Desk chair	1
Table	1
Western Recreation Mfg. Radar Trailer	1
Paper Shredder	1
Lamp	1
2 drawer filing cabinet	1
Westrex International money box with key	1

Mrs. Davidson reported that three bids were received for food and related products for the Jail. Staff reviewed the bids and recommended Schenck Foods.

On motion by Supervisor Breeden, seconded by Supervisor Chandler, and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CHANDLER - AYE; CUEVAS - AYE; EBERLY – AYE; KYGER - AYE; the Board authorized staff to enter into a contract with Schenck Foods to provide food service to the jail. The contract is initially for one-year with four-year renewals. Note: The bid was solicited using quotes for multiple food items, thus an overall price is not available.

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HUMAN RESOURCES DIRECTOR’S STAFF REPORT.

The Board received and reviewed Mrs. Mongold’s staff report dated January 10, 2018.

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PUBLIC WORKS DIRECTOR’S STAFF REPORT.

The Board received and reviewed Mr. Rhodes’ staff report dated January 10, 2018.

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COMMUNITY DEVELOPMENT DIRECTOR'S STAFF REPORT.

The Board received and reviewed Mr. Armstrong's staff report dated January 10, 2018.

Mr. Armstrong requested permission for staff to study the buffering section of the Zoning Ordinance with special emphasis on buffering next to four-lane highways. By consensus, the Board authorized staff to proceed with the study.

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TECHNOLOGY DIRECTOR'S STAFF REPORT.

The Board received and reviewed Mrs. Perry's staff report dated January 2018.

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FIRE AND RESCUE CHIEF'S STAFF REPORT.

The Board received and reviewed Chief Holloway's staff report dated January 2018.

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PARKS & RECREATION DIRECTOR'S STAFF REPORT.

The Board received and reviewed Mr. Moyers' staff report dated January 2018.

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COURT SERVICES DIRECTOR'S STAFF REPORT.

The Board received and reviewed Mrs. Freeman's staff report dated January 10, 2018.

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COMMITTEE REPORTS.

The Board heard committee reports from Board members and staff.

PUBLIC WORKS COMMITTEE

Supervisor Cuevas addressed the Request for Proposal from firms to provide installation, maintenance, and repair services for electrical, electronic controls and systems

in water and wastewater systems. After a review of the three responses received, staff recommended approval of both Valley Automation and SLM Enterprises. Two contractors will allow flexibility in scheduling and utilization of each company’s strengths. Services provided are generally for repairs and maintenance of Supervisory Control and Data Acquisition (SCADA) systems that monitor tank levels, wastewater station levels, pump controls for both water and wastewater, and alarm notifications. Estimated expense under this contract is \$50,000 per year.

On behalf of the Public Works Committee, on motion by Supervisor Cuevas, seconded by Supervisor Breeden, and carried by a roll call vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CHANDLER - AYE; CUEVAS - AYE; EBERLY – AYE; KYGER - AYE; the Board authorized staff to enter into a contract with both Valley Automation and SLM Enterprises to perform Electrical and Electronic Controls & System Repair, Installation and Maintenance Services for waste and wastewater systems, for a period of three years, with the option to renew for two additional one-year periods.

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COMMITTEE APPOINTMENTS.

On motion by Supervisor Cuevas, seconded by Supervisor Chandler, and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; CUEVAS – AYE; EBERLY – AYE; KYGER – AYE; the Board appointed Kevin Flint to the Economic Development Authority for District 1, for a term that will expire December 31, 2021.

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RECESS.

The Board recessed the meeting for dinner at 4:54 p.m.

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PUBLIC HEARING - SPECIAL-USE PERMITS.

At 6:00 p.m., Chairman Eberly opened the public hearing and Ms. Stultz reviewed the following special-use request:

- SUP17-270 Abel Uribe, 5485 CC Turner Trail, Timberville, 22853 for a second residence on property located on the south side of CC Turner Trail (Route 959) approximately 1500' east of Spar Mine Road (Route 617), Election District #1, zoned A-1. Tax Map #51-(A)-77.

Supervisor Cuevas indicated a condition should be added so that the additional dwelling cannot be used as a rental property.

The applicant was present and available to answer questions.

No one spoke regarding the request.

Chairman Eberly closed the public hearing at 6:10 p.m.

On motion by Supervisor Cuevas, seconded by Supervisor Kyger, and carried by a roll call vote of 5 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; CUEVAS – AYE; EBERLY – AYE; KYGER – AYE; the Board, with the following conditions, approved SUP17-270 Abel Uribe, 5485 CC Turner Trail, Timberville, 22853 for a second residence on property located on the south side of CC Turner Trail (Route 959) approximately 1500' east of Spar Mine Road (Route 617), Election District #1, zoned A-1. Tax Map #51-(A)-77.

CONDITIONS:

1. Use shall be located in substantial accordance to plot plan submitted with the application.
2. Building shall comply with the Statewide Building Code and the proper permits shall be obtained.
3. Approval shall be obtained from the Health Department for well and septic. Permits shall be submitted to the Community Development Department prior to issuance of a building permit.
4. Residence shall not be occupied until a certificate of occupancy is obtained from the County.
5. Residence shall not be used for rental purposes.

Ms. Stultz reviewed special use request SUP17-294.

SUP17-294 William M. Johnson, 4631 Wengers Mill Road, Linville, 22834 for an event venue on property located on the south side of Wengers Mill Road (Route 753) approximately 1/10 mile west of Harpine Highway (Route 42), Election District #2, zoned A-1. Tax Map #64-(3)-5.

Chairman Eberly reopened the public hearing at 6:17 p.m.

The applicant, Bill Johnson, was available to answer questions. He explained that his family enjoys providing activities and outreach opportunities for others at their home. Mr. Johnson pointed out that it is his intention to continue farming on the property while utilizing the property for a wedding venue. He said that he understands concerns of neighbors and stated that he only plans to schedule one event per week, which would end no later than 10:30 p.m.

Agnes Weaver spoke in favor of the request. Ms. Weaver is the owner of adjoining property to Mr. Johnson and was the previous owner of the property in the request. She stated that she had a difficult time selling the property and pointed out that the property was offered to neighbors before it was sold to Mr. Johnson.

Steven Crawford, Dr. Brad Hildabrand, Debbey Roadcap, Donna Farrish, and Dan Pinnell all spoke in opposition to the request. Noise and traffic were the primary concerns. Several individuals indicated that traffic on Wengers Mill Road already travels too fast, and increased traffic would be dangerous. Ms. Roadcap noted that of the nine adjoining property owners, seven are opposed to the special use permit and the other two do not live on their property. Ms. Roadcap indicated approval of the permit will cause neighboring property values to decrease.

Dr. Hildabrand expressed concern for the horses on his farm, and how they will be affected by the noise and traffic. Ms. Farrish stated that the Johnsons show little respect as neighbors. She also expressed concern that the noise and lights of parties may affect her cattle.

Ken Shuler noted that there are already two existing event centers within a few miles of the proposed venue.

Chairman Eberly closed the public hearing at 7:06 p.m.

Ms. Stultz pointed out that the outreach programs held at the Johnsons are private events and may continue even if the permit is denied.

On behalf of Chairman Eberly, on motion by Supervisor Kyger, seconded by Supervisor Cuevas, and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; CUEVAS – AYE; EBERLY – AYE; KYGER – AYE; the Board tabled SUP17-294 William M. Johnson, 4631 Wengers Mill Road, Linville, 22834 for an event venue on property located on the south side of Wengers Mill Road (Route 753) approximately 1/10 mile west of Harpine Highway (Route 42), Election District #2, zoned A-1. Tax Map #64-(3)-5.

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ADJOURNMENT.

Chairman Eberly declared the meeting adjourned at 7:17 p.m.

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Chairman